

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Herring
Bates	Hightower
Beckworth	Jordan
Bernal	Kennard
Blanchard	Kothmann
Bridges	Mauzy
Brooks	McKool
Christie	Moore
Connally	Patman
Creighton	Schwartz
Grover	Snelson
Hall	Watson
Harrington	Wilson
Harris	Word

Nays—1

Wallace

Absent

Ratliff Sherman

Senate Bill 477 Recommitted

On motion of Senator Bernal and by unanimous consent, S. B. No. 477 was recommitted to the Committee on State Affairs.

Memorial Resolutions

S. R. No. 1344—By Senator Blanchard: Memorial resolution for Mrs. Cora Dell Hartwell.

S. R. No. 1353—By Senator Herring: Memorial resolution for James C. Tuttle.

S. R. No. 1354—By Senator Herring: Memorial resolution for Frank E. Montgomery.

Welcome and Congratulatory Resolutions

S. C. R. No. 114—By Senator Wilson: Designating July, August and September, 1971, as "Keep Texas Homes Beautiful" months.

S. C. R. No. 115—By Senator Herring: Commending donors of McKinney Falls State Park.

H. C. R. No. 165—Congratulating the People's State Bank of Baytown on its 35th anniversary.

S. R. No. 1340—By Senator Wilson: Extending commendation to Silsbee junior varsity girls' volleyball team.

S. R. No. 1341—By Senator Wilson: Extending congratulations to Brookeland Wildcats, winner of District 30-B track meet.

S. R. No. 1342—By Senator Wilson: Extending commendation to 1971 Lufkin Panther baseball team.

S. R. No. 1343—By Senator Wilson: Extending congratulations to San Augustine Wolves, winner of District 9-AA baseball championship.

S. R. No. 1345—By Senator Snelson: Extending congratulations to James "Doc" Dodson, selected as a trainer for the U.S. Olympic athletes for the 1972 Summer Olympics.

S. R. No. 1346—By Senator Schwartz: Extending congratulations to Mr. and Mrs. Richard B. Millard on their 50th wedding anniversary.

S. R. No. 1348—By Senator Snelson: Commemorating Ludwig Von Beethoven for his profound influence on the world of music.

S. R. No. 1349—By Senator Creighton: Extending welcome to Bill Echols and his daughter, Mrs. Charles Brightwell.

S. R. No. 1350—By Senator Schwartz: Extending welcome to Mr. and Mrs. Maurice Nevelow and their children.

S. R. No. 1351—By Senator Aikin: Extending appreciation to State Soil and Water Conservation Board for naming the flood control project of Deport Creek the Tom Jeffus Water Retention Structure.

S. R. No. 1352—By Senator Herring: Commending Dr. Beverly Sutton for her service to the State of Texas.

Adjournment

On motion of Senator Aikin the Senate at 8:55 o'clock p.m. adjourned until 10:00 o'clock a.m. tomorrow.

SEVENTY-FIFTH DAY

(Tuesday, May 25, 1971)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Reports of Standing Committees

Senator Mauzy submitted the following reports for the Committee on Education:

H. B. No. 1006 (Floor report).

H. B. No. 1007.

Senator Brooks submitted the following report for the Committee on State Departments and Institutions:

H. B. No. 1567 (Amended).

Senator Creighton submitted the following reports for the Committee on Water and Conservation:

H. B. No. 703.

H. B. No. 1799.

H. B. No. 1832.

H. B. No. 1609.

H. B. No. 1757.

H. B. No. 1860.

H. B. No. 1731.

H. B. No. 1725.

H. B. No. 1726.

Senator Connally submitted the following report for the Committee on Parks and Wildlife:

H. B. No. 1565.

Senator Herring submitted the following reports for the Committee on Jurisprudence:

H. B. No. 447.

H. B. No. 967.

Senate Bills on First Reading

Senator Aikin moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit the introduction at this time, the following bills, the provisions of which were explained.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The following bills were then introduced, read first time and referred to the Committee indicated:

By Senators Hightower, Aikin, Mauzy and Schwartz:

S. B. No. 1036, A bill to be entitled "An Act relating to the minimum tuition fee charged resident students at Texas junior colleges; amending Item 4, Subsection (b), Section 51.003, Texas Education Code; and declaring an emergency."

To Committee on Education.

By Senator Word:

S. B. No. 1038, A bill to be entitled "An Act providing for the transfer by the State Treasurer of a certain sum of money from the Hairdressers and Cosmetologists Fund to the Gen-

eral Revenue Fund; and declaring an emergency."

To Committee on Administration.

The following bill was introduced, read first time and referred to the Committee indicated: (emergency matter submitted by the Governor)

By Senator Creighton:

S. B. No. 1037, A bill to be entitled "An Act amending the refund Article of the Motor Fuel Tax Law—Chapter 9, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925—to exclude the payment of tax refunds on motor fuel used in aircraft except that used for spraying purposes; amending Article 9.01 by adding sections to define aircraft and airways; amending Sections (2) and (8) of Article 9.01 to redefine motor vehicle and public highway; amending Article 9.02 by adding a new Section (1a); amending Section (5) of Article 9.03; amending Section (3) of Article 9.06; amending Section (2) of Article 9.13; containing savings and severability clauses, repealing laws in conflict with this Act, and declaring an emergency."

To Committee on Jurisprudence.

House Bills and Resolutions on First Reading

The following bills and resolutions received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 626, To Committee on County, District and Urban Affairs.

H. B. No. 956, To Committee on State Affairs.

H. B. No. 1482, To Committee on Public Health.

H. B. No. 1779, To Committee on Jurisprudence.

H. B. No. 1325, To Committee on Jurisprudence.

H. B. No. 1867, To Committee on County, District and Urban Affairs.

H. C. R. No. 122, To Committee on Administration.

H. C. R. No. 65, To Committee on Youth Affairs.

Senate Resolution 1356

Senator Hightower offered the following resolution:

Whereas, It is the pleasure of the Texas Senate to honor the children of our Members; and

Whereas, The first birthday of Patrick Fleming Grover will be celebrated on June 24, 1971; we deem it a privilege to nominate this son of Senator and Mrs. Henry Grover of Houston, Harris County, as Mascot of the Senate; now, therefore, be it

Resolved, That the Senate of the 62nd Legislature add the name of Patrick Fleming Grover to the list of Senate Mascots; and that his photograph be included on the picture panel of the Senate of the 62nd Legislature; and be it further

Resolved, That copies of this Resolution, properly endorsed, be prepared for Patrick and his family as a memento of this occasion.

The resolution was read and was adopted.

Senate Concurrent Resolution 117

Senator Herring offered the following resolution:

S. C. R. No. 117—Authorizing Enrolling Clerk of the House of Representatives to make certain corrections in H. B. No. 43.

The resolution was read.

On motion of Senator Herring and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Resolution 1357

Senator Connally offered the following resolution:

S. R. No. 1357, Directing the Parks and Wildlife Commission to conduct a feasibility study of establishing a State Park in Maverick County.

The resolution was read and was referred to the Committee on Parks and Wildlife.

Reports of Standing Committees

By unanimous consent, Senator Hightower submitted the following report for the Committee on Administration:

S. B. No. 1038 (Floor report).

By unanimous consent, Senator Herring submitted the following reports for the Committee on Jurisprudence:

S. B. No. 1037 (Floor report).

H. B. No. 1779.

By unanimous consent, Senator Connally submitted the following report for the Committee on Parks and Wildlife:

H. B. No. 1831 (Floor report).

House Bill 1006 Ordered Not Printed

On motion of Senator Mauzy and by unanimous consent, H. B. No. 1006 was ordered not printed.

House Bill 447 Ordered Not Printed

On motion of Senator Mauzy and by unanimous consent, H. B. No. 447 was ordered not printed.

House Bill 1779 Ordered Not Printed

On motion of Senator Kothmann and by unanimous consent, H. B. No. 1779 was ordered not printed.

Senate Bill 941 with
House Amendments

Senator Mauzy called S. B. No. 941 from the President's table for consideration of the House amendments to the bill.

The President Pro Tempore laid the bill and the following House amendments before the Senate:

Amendment No. 1

Amend S. B. No. 941 by striking all below the enacting clause and substituting in lieu thereof the following:

"Section 1. Subsection 1, Section 15(e), Article I, Texas Liquor Control Act, as amended (Article 666-15(e), Vernon's Texas Penal Code), is amended by adding a Subdivision (c-1) to read as follows:

"(c-1) Notwithstanding any other provision of this Act, the pool system shall be legal for any private club operating on the premises of a professional sports stadium which is used wholly or partly for professional sporting events and which has a seating capacity of 40,000 or more, and on the premises of a multiple-unit residential dwelling or dwelling complex having 750 or more units in a county having a population of not less than 1,000,000 nor more than 1,500,000 according to the last preceding federal census.

"Sec. 2. As used in this Act, "the last preceding federal census" means the 1970 census or any future decennial federal census. This is despite any legislation that has been or may be enacted during any session of the 62nd Legislature delaying the effectiveness of the 1970 census for general state and local governmental purposes.

"Sec. 3. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

"Sec. 4. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted."

Amendment No. 2

Amend S. B. No. 941 by striking all above the enacting clause and substituting in lieu thereof the following:

A BILL TO BE ENTITLED

An Act relating to the legality of the pool system for private clubs operating on the premises of certain professional sport stadiums, and in certain multiple-unit residential dwellings or dwelling complexes; amending Subsection 1, Section 15(e), Article I, Texas Liquor Control Act, as amended (Article 666-15(e), Vernon's Texas Penal Code); providing for severability; and declaring an emergency."

The House amendments were read.

Senator Mauzy moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—30

Aikin	Bernal
Bates	Blanchard
Beckworth	Bridges

Brooks	Mauzy
Christie	McKool
Connally	Moore
Creighton	Patman
Grover	Ratliff
Hall	Schwartz
Harrington	Sherman
Harris	Snelson
Herring	Wallace
Jordan	Watson
Kennard	Wilson
Kothmann	Word

Nays—1

Hightower

Conference Committee Report on
House Bill 1596

Senator Harrington submitted the following Conference Committee Report:

Austin, Texas,
May 24, 1971.

The Hon. Ben Barnes, President of the Senate.

The Hon. G. F. "Gus" Mutscher, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed to adjust the differences between the House and Senate on H. B. 1596, have met and adjusted our differences and beg leave to recommend that it be passed in the form attached hereto.

Respectfully submitted,
HAYNES
ADAMS
KILPATRICK
SIMMONS
NABERS

On the part of the House.

HARRINGTON
WATSON
McKOOOL
MAUZY
WORD

On the part of the Senate.

The Conference Committee Report was read and was adopted by the following vote:

Yeas—31

Aikin	Brooks
Bates	Christie
Beckworth	Connally
Bernal	Creighton
Blanchard	Grover
Bridges	Hall

Harrington	Patman
Harris	Ratliff
Herring	Schwartz
Hightower	Sherman
Jordan	Snelson
Kennard	Wallace
Kothmann	Watson
Mauzy	Wilson
McKool	Word
Moore	

Message From the House

Hall of the House of Representatives,

Austin, Texas,
May 25, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 281, A bill to be entitled "An Act relating to death or disablement pension benefits of firemen from heart or lung disease; and declaring an emergency."

H. B. No. 471, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Liberty Public Utility District'; etc.; and declaring an emergency."

H. B. No. 587, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'May Public Utility District'; etc.; and declaring an emergency."

H. B. No. 1064, A bill to be entitled "An Act to amend Section 11.33 of the Texas Education Code by adding thereto Subsection (c), to authorize the establishment of a program of financial support for basic administrative costs for regional education service centers and for cooperative regional educational services that are approved by the State Board of Education; providing such financial support shall be paid from the Foundation School Fund and considered a cost in estimating funds needed for Foundation School Program purposes; providing for an effective date; providing an appropriation therefor; and declaring an emergency."

H. B. No. 1145, A bill to be entitled "An Act creating and establishing a

conservation and reclamation district under and essential to the purposes of Article 16, Section 59 of the Constitution of Texas to be known as 'Harris County Utility District No. 8'; etc., and declaring an emergency."

H. B. No. 1179, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under and essential to the purposes of Article 16, Section 59 of the Constitution of Texas to be known as 'Corinthian Point Utility District'; etc.; and declaring an emergency."

H. B. No. 1652, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Pine Village Public Utility District'; etc.; and declaring an emergency."

H. B. No. 1686, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Colony Hills Public Utility District'; etc. and declaring an emergency."

H. B. No. 1690, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Article 16, Section 59, Constitution of Texas in Harris County, Texas, to be known as Bear Creek Utility District of Harris County, Texas; etc.; and declaring an emergency."

H. B. No. 1691, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Article 16, Section 59, Constitution of Texas, in Harris County, Texas, to be known as Tall Timbers Utility District of Harris County, Texas; etc.; and declaring an emergency."

H. B. No. 1693, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Article 16, Section 59, Constitution of Texas, in Harris County, Texas, to be known as Malcomson Road Utility District of Harris County, Texas; etc.; and declaring an emergency."

H. B. No. 1694, A bill to be entitled "An Act creating a conservation and reclamation district under the provi-

sions of Article 16, Section 59, Constitution of Texas, in Harris County, Texas, to be known as Longhorn Town Utility District of Harris County, Texas; etc.; and declaring an emergency."

H. B. No. 1696, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Article 16, Section 59, Constitution of Texas, in Harris County, Texas, to be known as Addicks Utility District of Harris County, Texas; etc.; and declaring an emergency."

H. B. No. 1697, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Article 16, Section 59, Constitution of Texas, in Harris County, Texas, to be known as Rolling Creek Utility District of Harris County, Texas; etc.; and declaring an emergency."

H. B. No. 1703, A bill to be entitled "An Act exempting certain judicial retirement payments and rights from state, county, and municipal tax, levy, sale, garnishment, attachment, or other process; amending Chapter 99, Acts of the 51st Legislature, Regular Session, 1949, as amended (Article 6228b, Vernon's Texas Civil Statutes), by adding a Section 8b; and declaring an emergency."

H. B. No. 1710, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Enchanted Valley Public Utility District'; etc.; and declaring an emergency."

H. B. No. 1711, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Article 16, Section 59, Constitution of Texas, in Harris County, Texas, to be known as Northwest Municipal Utility District of Harris County, Texas; etc.; and declaring an emergency."

H. B. No. 1727, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Roman Forest Public Utility District No. 4'; etc.; and declaring an emergency."

H. B. No. 1728, A bill to be entitled "An Act creating and establishing a

conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Roman Forest Public Utility District No. 5'; etc.; and declaring an emergency."

H. B. No. 1729, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Roman Forest Public Utility District No. 6'; etc.; and declaring an emergency."

H. B. No. 1730, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Robin Public Utility District'; etc.; and declaring an emergency."

H. B. No. 1732, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Aldine Public Utility District'; etc.; and declaring an emergency."

H. B. No. 1735, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Huffsmith Road Public Utility District'; etc.; and declaring an emergency."

H. B. No. 1736, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 15, Section 59, Constitution of Texas, known as 'Kuykendahl Road Public Utility District No. 2'; etc.; and declaring an emergency."

H. B. No. 1737, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Kuykendahl Road Public Utility District No. 1'; etc.; and declaring an emergency."

H. B. No. 1751, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Article 16, Section 59, Constitution of Texas, in Harris County, Texas, to be known as Woodforest North Utility District; etc.; and declaring an emergency."

H. B. No. 1764, A bill to be entitled "An Act creating and establishing a conservation and reclamation district

under Article 16, Section 59, Constitution of Texas, known as 'Jetero Public Utility District'; etc.; and declaring an emergency."

H. B. No. 1768, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Louetta North Public Utility District'; etc.; and declaring an emergency."

H. B. No. 1769, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Cy-Champ Public Utility District'; etc.; and declaring an emergency."

H. B. No. 1823, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article XVI, Section 59, Constitution of Texas, known as 'Montgomery County Municipal Utility District No. 5 of Montgomery County, Texas,' declaring district a governmental agency, body politic and corporate; finding the field notes and boundaries form a closure, and related matters; etc.; and declaring an emergency."

H. B. No. 1825, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article XVI, Section 59, Constitution of Texas, known as 'Montgomery County Municipal Utility District No. 7 of Montgomery County, Texas,' declaring district a governmental agency, body politic and corporate; finding the field notes and boundaries form a closure, and related matters; etc.; and declaring an emergency."

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Conference Committee Report on House Bill 1163

Senator Watson submitted the following Conference Committee Report:

Austin, Texas,
May 25, 1971.

The Hon. Ben Barnes, President of the Senate.

The Hon. Gus F. Mutscher, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed to adjust the differences

between the House and Senate on House Bill No. 1163, have met and adjusted our differences and beg leave to recommend that House Bill No. 1163 be passed in the form attached hereto.

Respectfully submitted,

WATSON
HERRING
BECKWORTH
BATES
MOORE

On the part of the Senate.

SCHULLE
FOREMAN
SPURLOCK
LOVELL
LOMBARDINO

On the part of the House.

The Conference Committee Report was read and was adopted by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

Motion in Writing

Senator Blanchard submitted the following Motion in Writing:

Mr. President:

I move that Senate Rule 91 be strictly enforced during the remainder of this session and that the Sgts. at Arms be directed to require all persons not entitled to privileges of the floor to retire immediately after conducting their official business.

BLANCHARD

The Motion in Writing was read.

Question on the adoption of the Motion in Writing, "Yeas" and "Nays" were demanded.

The Motion in Writing was adopted by the following vote:

Yeas—29

Aikin	Hightower
Bates	Jordan
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Word
Herring	

Absent

Kennard Wilson

(President in Chair.)

Committee Substitute Senate Bill 10 on Second Reading

Senator Mauzy moved to suspend the regular order of business and take up C. S. S. B. No. 10 for consideration at this time.

The motion prevailed by the following vote:

Yeas—22

Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Bridges	Mauzy
Brooks	McKool
Christie	Schwartz
Connally	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Hightower	Wilson

Nays—9

Aikin	Moore
Blanchard	Patman
Creighton	Ratliff
Harris	Word
Herring	

The President laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 10, A bill to be entitled "An Act relating to authorizing and regulating group marketing of motor vehicle insurance; amending Chapter 21, Texas Insurance Code, by adding Article 21.76; amending Sec-

tion 20, Article 21.14, Texas Insurance Code; and declaring an emergency."

The bill was read second time and passed to engrossment.

Record of Votes

Senators Word, Blanchard, Harris and Watson asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

Committee Substitute

Senate Bill 10 on Third Reading

Senator Mauzy moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 10 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Hightower
Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Bridges	Mauzy
Brooks	McKool
Christie	Schwartz
Connally	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Herring	Wilson

Nays—6

Blanchard	Patman
Harris	Ratliff
Moore	Word

Absent

Creighton

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Votes

Senators Blanchard, Harris, Word, Creighton and Watson asked to be recorded as voting "Nay" on the final passage of the bill.

Senate Concurrent Resolution 118

Senator Bates offered the following resolution:

S. C. R. No. 118—Directing Water agencies of the State of Texas to study the problem of securing adequate, clean water for all households in Texas.

The resolution was read.

On motion of Senator Bates and by unanimous consent, the resolution was considered immediately and was adopted.

Reports of Standing Committee

By unanimous consent Senator Hall submitted the following reports for the Committee on County, District and Urban Affairs:

H. B. No. 1635 (Floor report).

H. B. No. 1632 (Floor report).

H. B. No. 1796 (Floor report).

H. B. No. 1798 (Floor report).

H. B. No. 910 (Floor report).

H. B. No. 1708 (Floor report).

Bills and Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolution:

H. B. No. 52.

H. B. No. 297.

H. B. No. 329.

H. B. No. 357.

H. B. No. 459.

H. B. No. 645.

H. B. No. 681.

H. B. No. 683.

H. B. No. 839.

H. B. No. 949.

H. B. No. 977.

H. B. No. 999.

H. B. No. 1031.

H. B. No. 1108.

H. B. No. 1109.

H. B. No. 1117.

H. B. No. 1184.

H. B. No. 1381.

H. B. No. 1435.

H. B. No. 1436.

H. B. No. 1630.

H. B. No. 1672.

H. B. No. 1678.

H. B. No. 1688.

H. B. No. 1718.

H. B. No. 1808.

H. B. No. 1827.

H. C. R. No. 67.

House Bill 1632 Ordered Not Printed

On motion of Senator Word and by unanimous consent, H. B. No. 1632 was ordered not printed.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
May 25, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 963, A bill to be entitled "An Act relating to the authority of the comptroller to authorize the use of metered machines in lieu of cigarette stamps by out-of-state purchasers and relating to discounts for out-of-state purchasers; amending Article 7.07, and Section (2) of Article 7.08, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 1166, A bill to be entitled "An Act relating to the compensation of the official shorthand reporter for the 75th Judicial District; amending Section 1, Chapter 289, Acts of the 58th Legislature, Regular Session, 1963 (Article 2326j-30, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 1417, A bill to be entitled "An Act relating to the penalty for wilfully taking, diverting, or appropriating water of the state or using water without complying with Chapter 1, Title 128, Revised Civil Stat-

utes, 1925, as amended; amending Article 7521, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

H. B. No. 1542, A bill to be entitled "An Act relating to the creation of water districts under the general law; and declaring an emergency."

H. B. No. 1582, A bill to be entitled "An Act relating to allowing private banks doing business in this state to apply and be accepted as state depositories; amending Articles 2526, 2527, and 2528, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 1882, A bill to be entitled "An Act relating to the compensation of assistant district attorneys for the 49th Judicial District; amending Section 2, Chapter 7, Acts of the 57th Legislature, Regular Session, 1961, as amended (Article 326k-38a, Vernon's Texas Civil Statutes); and declaring an emergency."

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 803.

House Conferees: Clayton, Neugent of Galveston, Jungmichel, Tarbox, Murray.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill 799 on Second Reading

On motion of Senator Beckworth and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 799, A bill to be entitled "An Act relating to the treatment of persons with various respiratory diseases at East Texas Tuberculosis Hospital; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 799 on Third Reading

Senator Beckworth moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 799 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Report of Standing Committee

By unanimous consent, Senator Hall submitted the following report for the Committee on State Affairs:

H. B. No. 275 (Floor report).

Bills Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills:

S. B. No. 149.

S. B. No. 236.

S. B. No. 902.

S. B. No. 39.

S. B. No. 261.

S. B. No. 327.

House Bill 156 on Second Reading

Senator Hightower asked unanimous consent to suspend the regular order of business and take up H. B. No. 156 for consideration at this time.

There was objection.

Senator Hightower then moved to suspend the regular order of business and take up H. B. No. 156 for consideration at this time.

The motion prevailed by the following vote:

Yeas—25

Bates	Jordan
Bernal	Kennard
Blanchard	Kothmann
Bridges	Mauzy
Brooks	McKool
Christie	Patman
Connally	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

Nays—4

Aikin	Snelson
Beckworth	Wallace

Absent

Creighton	Moore
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The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 156, A bill to be entitled "An Act relating to the regulation of cosmetologists and hairdressers; creating the Texas Cosmetology Commission; etc.; and declaring an emergency."

The bill was read second time.

Senator Hightower offered the following Committee Amendment to the bill:

Amend H. B. No. 156 by striking subsection (a) of Section 2 and substituting the following:

"(a) The Texas Cosmetology Commission is created. The commission shall be composed of one member holding a valid beauty shop license who has no direct or indirect affiliation with or interest, financial or otherwise, in a private beauty culture school; one member holding a valid private beauty culture school license who has no direct or indirect affiliation with or interest, financial or otherwise, in a beauty shop; one member holding a valid operator license; one member holding a valid wig specialist, wig instructor, wig salon, or wig school license who has no direct or indirect affiliation with or interest, financial or otherwise, in a private beauty culture school or beauty shop;

and two members of the general public who are not licensees under this Act and who have no direct or indirect affiliation with or interest, financial or otherwise, in any facet of the beauty industry. The Commissioner of Education of the Texas Education Agency or his authorized representative shall as part of his duties serve as an ex officio member of the commission with voting privileges. Members shall be appointed without consideration of race, color, religion, sex, or national origin."

The Committee Amendment was read.

Senator Brooks offered the following amendment to the Committee Amendment:

Amend Committee Amendment No. 1 to H. B. No. 156 by striking all but the first sentence and substituting the following:

"The commission shall be composed of three members. No member shall be a member of, or affiliated with, or shall have any financial interest in any private beauty culture school while in office. No two members of the commission may be graduates of the same beauty culture school. If it is proved to the governor by reliable and satisfactory evidence that any member of the commission is affiliated with or has any financial interest in any private beauty culture school, then the governor shall immediately declare the office vacant."

The amendment to the Committee Amendment was read.

(Senator Mauzy in Chair.)

Senator Hightower moved to table the amendment.

Question on the motion to table, "Yeas" and "Nays" were demanded.

The motion to table prevailed by the following vote:

Yeas—22

Bernal	Kennard
Blanchard	Kothmann
Bridges	Mauzy
Christie	McKool
Grover	Moore
Hall	Patman
Harrington	Ratliff
Harris	Schwartz
Herring	Sherman
Hightower	Wilson
Jordan	Word

Nays—7

Aikin	Snelson
Bates	Wallace
Beckworth	Watson
Brooks	

Absent

Connally	Creighton
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Senator Aikin offered the following amendment to the Committee Amendment:

Amend Committee Amendment No. 1 by striking out the sentence referring to the "Commissioner of Education" as a member.

The amendment to the Committee Amendment was read and was adopted.

The Committee Amendment as amended was then adopted.

Senator Hightower offered the following Committee Amendment to the bill:

Amend H. B. No. 156 as follows:

(1) Strike "executive director" and insert "commission" in Subsection (a) of Section 7, Subsection (a) of Section 8, and Subsection (a) of Section 9; and

(2) Renumber Sections 52 and 53 appropriately and insert a new Section 52 to read as follows:

"Sec. 52. The Texas Cosmetology Commission shall appoint one member of the State Board of Hairdressers and Cosmetologists as of January 1, 1971, to serve as director of licensing, one member of the State Board of Hairdressers and Cosmetologists as of January 1, 1971, to serve as director of inspection, and one member of the State Board of Hairdressers and Cosmetologists as of January 1, 1971, to serve as director of examination. These persons shall serve as directors until the expiration date of the terms for which they were appointed to the State Board of Hairdressers and Cosmetologists. Thereafter they may serve as directors at the pleasure of the commission."

The Committee Amendment was read and was adopted.

Senator Hightower offered the following Committee Amendment to the bill:

Amend H. B. 156 by inserting in Section 4(a), after the last word (Act) the following:

Notwithstanding any other provision of this Act, the Board shall not have any power or authority to amend or enlarge upon any provision of this Act by rule or regulation or by rule or regulation to change the meaning in any manner whatsoever of any provision of this Act, or to promulgate any rule or regulation which is in any way contrary to the underlying and fundamental purposes of this Act or to make any rule or regulation which is unreasonable, arbitrary, capricious, illegal or unnecessary."

The Committee Amendment was read and was adopted.

Senator Hightower offered the following Committee Amendment to the bill:

Amend H. B. No. 156 as follows:

(1) Strike "and oral" in the second sentence of Subsection (d) of Section 4;

(2) Add a new sentence to Subdivision (a) of Section 15 to read as follows:

"The 150 hours' instruction in the care and treatment of wigs and artificial hair pieces may be included within the hours of instruction required for an operator license in Subsection (b) of this section."

(3) Strike "in each" in Subdivision (2), Subsection (b), Section 22;

(4) Strike Section 33 and substitute the following:

"Sec. 33. RIGHT OF ACCESS. The commission, an inspector, or any duly authorized representative of the commission may enter the premises of any licensee at any time during normal business hours and in such manner as not to interfere with the conduct or operation of the business or school determine whether or not the license is in compliance with the provisions of this Act and the rules and regulations of the commission."

(5) Add a new sentence to Subsection (a) of Section 48 to read as follows:

"Any person holding an operator license issued by the State Board of

Hairdressers and Cosmetologists on the effective date of this Act may perform for compensation any practice of cosmetology defined in subdivision (3) of Section 1 of this Act."

The Committee Amendment was read and was adopted.

Senator Hightower offered the following Committee Amendment to the bill:

Amend H. B. No. 156 by striking "17" and substituting "16" and striking "ninth" and substituting "seventh" in Subsection (b) of Section 13, Subsection (b) of Section 14, and Subsection (b) of Section 15.

The Committee Amendment was read and was adopted.

On motion of Senator Hightower and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

Record of Vote

Senator Watson asked to be recorded as voting "Nay" on the passage of the bill to third reading.

House Bill 156 on Third Reading

Senator Hightower moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 156 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Nays—1

Aikin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Watson asked to be recorded as voting "Nay" on the final passage of the bill.

Message From the House

Hall of the House of Representatives

Austin, Texas,
May 25, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 89, Requesting The Advisory Council for Technical-Vocational Education in Texas to conduct a feasibility study.

H. J. R. No. 44, Proposing a Constitutional Amendment to change the name of the Court of Criminal Appeals to the Supreme Court of Criminal Appeals.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Reports of Standing Committee

By unanimous consent, Senator Hall submitted the following reports for the Committee on County, District and Urban Affairs:

H. B. No. 1867 (Floor report).

H. B. No. 626 (Floor report).

House Bill 1867 Ordered Not Printed

On motion of Senator Word and by unanimous consent, H. B. No. 1867 was ordered not printed.

House Bill 843 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 843, A bill to be entitled "An Act relating to runoff elections for trustee of an independent school

district; amending Section 23.11, Texas Education Code, by adding a Subsection (h); and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 843 on Third Reading

Senator Aikin moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 843 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 261 on Second Reading

On motion of Senator Herring and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 261, A bill to be entitled "An Act reenacting and amending Statutes authorizing and regulating the use and performance of chemical tests of blood, breath and urine under certain conditions of motor vehicle drivers to determine intoxication; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 261 on Third Reading

Senator Herring moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 261 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

(President in Chair).

**Vote on Adoption of Senate
Concurrent Resolution 117
Reconsidered**

On motion of Senator Herring and by unanimous consent, the vote by which S. C. R. No. 117 was adopted was reconsidered.

Question—Shall S. C. R. No. 117 be adopted?

The resolution was again adopted by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

House Bill 1708 Ordered Not Printed

On motion of Senator Bridges and by unanimous consent, H. B. No. 1708 was ordered not printed.

House Bill 910 Ordered Not Printed

On motion of Senator Bridges and by unanimous consent, H. B. No. 910 was ordered not printed.

House Bill 1832 Ordered Not Printed

On motion of Senator Bridges and by unanimous consent, H. B. No. 1832 was ordered not printed.

**Conference Committee Report on
Senate Bill 73**

Senator Schwartz submitted the following Conference Committee Report:

Austin, Texas,
May 24, 1971.

Hon. Ben Barnes, President of the Senate.

Hon. Gus Mutscher, Speaker of The House of Representatives.

Sir: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on Senate Bill No. 73 have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

SCHWARTZ
WILSON
MAUZY
McKOOL
BLANCHARD

On the part of the Senate.

HARRIS
HUBENAK
BRAUN
NICHOLS
NEUGENT

On the part of the House.

S. B. No. 73:

**A BILL
TO BE ENTITLED**

An Act relating to the official shorthand reporters of the 10th, 56th, and 122nd Judicial Districts of Texas, and other Judicial Districts, if any, composed entirely of the County of Galveston; reenacting and amending Acts of the 55th Legislature, 2nd Called Session, 1957, Chapter 12, by fixing the maximum and minimum salary and method of determining same, and by fixing the fee for transcript; and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Acts of the 55th Legislature, 2nd Called Session, 1957, Chapter 12 (codified by Vernon's as Vernon's Civil Statutes of Texas, Article 2326J-1) is hereby reenacted and amended to read as follows:

"Section 1. The judges of the 10th, 56th, and 122nd Judicial Districts of Texas, and other Judicial Districts, if any, composed entirely of the County of Galveston, shall each appoint an official shorthand reporter for his respective Judicial District in the manner now provided for district courts in this State; who shall have the same qualifications and whose duties shall in every respect be the same as now provided by law. Each of said official shorthand reporters shall receive an annual salary of not less than the amount paid such person annually on the effective date of this Act, nor more than Fourteen Thousand Four Hundred Dollars (\$14,400.00) per annum, said salary shall be in addition to transcript fees which shall not be more than thirty cents (30¢) per one hundred (100) words. Said salary when so fixed and determined by the district judges of said respective Ju-

dicial Districts shall be paid monthly out of the general funds or the jury fund, or out of any fund available for the purpose as may be determined by the County Commissioners Court. From and after the passage of this Act all provisions relating to official shorthand reporters and their duties in district courts shall in all respects govern except that the salary of the official shorthand reporters as provided for in this Act shall be fixed and determined by the district judges of said Judicial Districts and not otherwise; and the transcript fees shall be as provided for in this Act, and not otherwise."

Sec. 2. The fact, that the salary which has been heretofore allowed to the official shorthand reporters for the 10th, 56th, and 122nd Judicial District Courts of Galveston County has not been commensurate with their steadily increasing official duties, and the fact that the district judge of a Judicial District is in a better position to determine the efficiency of an official shorthand reporter and to determine the compensation said reporter shall receive in accordance with the amount and character of work performed, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended; and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report was read and was adopted.

Leave of Absence

Senator Creighton was granted leave of absence for the remainder of today on account of important business on motion of Senator Hightower.

**House Joint Resolution 61 on
Second Reading**

Senator Wilson asked unanimous consent to suspend the regular order of business and take up H. J. R. No. 61 for consideration at this time.

There was objection.

Senator Wilson then moved to suspend the regular order of business and take up H. J. R. No. 61 for consideration at this time.

The motion prevailed by the following vote:

Yeas—26

Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Bridges	McKool
Brooks	Patman
Christie	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Wilson
Jordan	Word

Nays—3

Aikin	Moore
Blanchard	

Absent

Connally

Absent—Excused

Creighton

The President laid before the Senate on its second reading and passage to third reading:

H. J. R. No. 61, Proposing an amendment to Article XVII of the Constitution of the State of Texas, to provide that the 63rd Legislature elected in November 1972, act as a constitutional convention to propose a revised Constitution to the voters of Texas, retaining the bill of rights of the present constitution.

The resolution was read second time was passed to third reading.

House Joint Resolution 61 on Third Reading

Senator Wilson moved that the Constitutional Rule and Senate Rule 30 requiring resolutions to be read on three several days be suspended and that H. J. R. No. 61 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Bates	Brooks
Beckworth	Christie
Bernal	Grover
Bridges	Hall

Harrington	Patman
Harris	Schwartz
Herring	Sherman
Hightower	Snelson
Jordan	Wallace
Kennard	Watson
Kothmann	Wilson
Mauzy	Word
McKool	

Nays—4

Aikin	Moore
Blanchard	Ratliff

Absent

Connally

Absent—Excused

Creighton

The President then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—25

Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Bridges	McKool
Brooks	Patman
Christie	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word
Jordan	

Nays—4

Aikin	Moore
Blanchard	Ratliff

Absent

Connally

Absent—Excused

Creighton

Reports of Standing Committees

By unanimous consent, Senator Herring submitted the following reports for the Committee on Jurisprudence:

H. B. No. 1325 (Floor report).

H. B. No. 28 (Floor report).

By unanimous consent, Senator Blanchard submitted the following reports for the Committee on Insurance:

H. B. No. 145 (Floor report).

H. B. No. 636 (Floor report).

**Motion to Place
Senate Bill 925 on Second Reading**

Senator Mauzy asked unanimous consent to suspend the regular order of business and take up S. B. No. 925 for consideration at this time.

There was objection.

Senator Mauzy then moved to suspend the regular order of business and take up S. B. No. 925 for consideration at this time.

The motion was lost by the following vote: (not receiving two-thirds vote of the Members present)

Yeas—9

Bates	Herring
Beckworth	Mauzy
Bernal	McKool
Bridges	Patman
Harrington	

Nays—20

Aikin	Kothmann
Blanchard	Moore
Brooks	Ratliff
Christie	Schwartz
Grover	Sherman
Hall	Snelson
Harris	Wallace
Hightower	Watson
Jordan	Wilson
Kennard	Word

Absent

Connally

Absent—Excused

Creighton

**Conference Committee Report on
House Bill 1001**

Senator Brooks submitted the following Conference Committee Report:

Austin, Texas,
May 25, 1971.

Hon. Ben Barnes, President of the Senate.

Hon. G. F. "Gus" Mutscher, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed to adjust the differences between the House and Senate on H. B. No. 1001, have met and

adjusted our differences and beg leave to recommend that it be passed in the form attached hereto.

Respectfully submitted,

HULL
FINNEY
COBB
PARKER
HOLMES

On the part of the House.

BROOKS
WATSON
WALLACE
KOTHMANN
BATES

On the part of the Senate.

The Conference Committee Report was read and was adopted by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Creighton

**Motion to Place
Senate Bill 551 on Second Reading**

Senator Bernal moved to suspend the regular order of business and take up S. B. No. 551 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—15

Bates	Kothmann
Beckworth	Mauzy
Bernal	McKool
Bridges	Schwartz
Brooks	Wallace
Harrington	Watson
Jordan	Wilson
Kennard	

Nays—13

Aikin	Moore
Blanchard	Patman
Connally	Ratliff
Grover	Sherman
Harris	Snelson
Herring	Word
Hightower	

Absent

Christie Hall

Absent—Excused

Creighton

Senate Bill 942 With
House Amendment

Senator Schwartz called S. B. No. 942 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

Committee Amendment No. 1

Amend S. B. 942 by adding the following sentence at the end of Section 1A:

"Such courses must have the prior approval of the Coordinating Board, Texas Colleges and University Systems."

The House amendment was read.

Senator Schwartz moved that the Senate concur in the House amendment.

The motion prevailed.

Recess

On motion of Senator Aikin the Senate at 12:40 o'clock p.m. took recess until 4:00 o'clock p.m. today.

After Recess

The President Pro Tempore called the Senate to order at 4:00 o'clock p.m. today.

Senate Resolution 1359

Senator Wallace offered the following resolution:

S. R. No. 1359, Providing for the creation of an Interim Committee to study possible reforms in the system of licensing and examining boards in Texas government.

The resolution was read and was referred to the Committee on Administration.

Message From the House

Hall of the House of Representatives

Austin, Texas,
May 25, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 294, A bill to be entitled "An Act relating to a program for the education of deaf adults; etc.; and declaring an emergency."

The House has adopted the Conference Committee Report on House Bill No. 1163 by a vote of 138 ayes, 2 noes.

H. B. No. 522, A bill to be entitled "An Act authorizing the governing board of a state-supported institution of higher education to levy and collect from applicants to that institution a nonrefundable application fee of not more than \$20, as determined by the governing board of the institution, from each person applying for admission to the institution; providing that this Act shall be cumulative; providing for severability; and declaring an emergency."

H. B. No. 1616, A bill to be entitled "An Act prohibiting the capturing and transporting of live game animals without having first received written permission from the Parks and Wildlife Commission; and declaring an emergency."

H. B. No. 811, A bill to be entitled "An Act permitting a court to impose a period of imprisonment in jail when placing a defendant on probation; amending Section 3, Article 42.12, Code of Criminal Procedure, 1965, as amended; and declaring an emergency."

H. B. No. 842, A bill to be entitled "An Act authorizing districts created under Article XVI, Section 59, Constitution of Texas, to develop water resources and/or to acquire and improve water-related land areas for public recreation purposes; prescribing the rights, authority, powers, privileges and functions to accomplish such purposes; providing for severability and declaring an emergency."

H. B. No. 909, A bill to be entitled "An Act relating to discriminatory action by state or local government officers or employees; amending Subsection (a), Section 1, Chapter 72, Acts of the 60th Legislature, Regular Session, 1967 (Article 6252-16, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 920, A bill to be entitled "An Act relating to driving to the left side of a roadway when there is a line of standing vehicles awaiting access to a public ferry; amending Section 57 of the Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 1038, A bill to be entitled "An Act amending Chapter 446, Acts of the 61st Legislature, Regular Session, 1969 (Article 1c, Vernon's Texas Civil Statutes), to provide for a permanent agency to be entitled the Human Relations Commission; relating to regulation of certain discriminatory acts; and declaring an emergency."

H. B. No. 1165, A bill to be entitled "An Act relating to the compensation of the assistant district attorney for the 9th Judicial District; amending Section 4, Chapter 560, Acts of the 60th Legislature, Regular Session, 1967 (Article 326L-2, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 1692, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Article 16, Section 59, Constitution of Texas, in Harris County, Texas, to be known as 'Northbrook Municipal Utility District' in Harris County, Texas; etc.; and declaring an emergency."

H. B. No. 1741, A bill to be entitled "An Act relating to high school equivalency examinations; amending Subchapter B, Chapter 11, Texas Education Code, by adding Section 11.35; and declaring an emergency."

H. B. No. 1748, A bill to be entitled "An Act relating to the removal, alteration, or obliteration of a manufacturer's identification number from certain personal property and the possession of certain personal property from which the manufacturer's identification number has been removed, altered, or obliterated; provid-

ing penalties for violations; amending the Penal Code of Texas, 1925, by adding Article 1430a; and declaring an emergency."

H. B. No. 1864, A bill to be entitled "An Act creating Ingleside Cove Wildlife Sanctuary; providing penalties for certain types of hunting and fishing in Ingleside Cove Wildlife Sanctuary; repealing conflicting laws; and declaring an emergency."

S. C. R. No. 115—Commending Mr. and Mrs. J. E. Smith for their gift of land to the State of Texas.

S. C. R. No. 117—Authorizing Enrolling Clerk of the House of Representatives to make certain corrections in H. B. No. 43.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Bill 718 With House Amendments

Senator Harris called S. B. No. 718 from the President's table for consideration of the House amendments to the bill.

The President Pro Tempore laid the bill and the following House amendments before the Senate:

Amendment No. 1

Amend Section 1 of Senate Bill 718, in the seventh paragraph of the therein-quoted Article 666-58, by striking the period following the term, "salable condition," substituting in lieu thereof a semicolon, and inserting the following:

"provided, however, that no Non-Resident Seller or Manufacturer's Agent, acting either in this capacity or in any other, shall be authorized to represent any person, persons, or legal entity other than the primary source of supply for the alcoholic beverage involved within the United States."

Amendment No. 2

Amend Senate Bill 718 by striking all above the enacting clause and substituting in lieu thereof the following:

A BILL TO BE ENTITLED

An Act relating to the disposition or sale of alcoholic beverages by in-

surers or insurance salvors in the salvage or liquidation of certain insured damages or losses; defining the authority of certain permittees; amending Article I of the Texas Liquor Control Act by adding a new Section 58; and declaring an emergency."

The House amendments were read.

Senator Harris moved that the Senate concur in the House amendments.

The motion prevailed.

House Bills and Resolution on First Reading

The following bills and resolution, received from the House, were read the first time and referred to the Committees indicated:

H. J. R. No. 44, To Committee on Constitutional Amendments.

H. B. No. 281, To Committee on State Departments and Institutions.

H. B. No. 471, To Committee on Water and Conservation.

H. B. No. 587, To Committee on Water and Conservation.

H. B. No. 1064, To Committee on Finance.

H. B. No. 1145, To Committee on Water and Conservation.

H. B. No. 1166, To Committee on County, District and Urban Affairs.

H. B. No. 1179, To Committee on Water and Conservation.

H. B. No. 1417, To Committee on Water and Conservation.

H. B. No. 1542, To Committee on Water and Conservation.

H. B. No. 1582, To Committee on Banking.

H. B. No. 1652, To Committee on Water and Conservation.

H. B. No. 1686, To Committee on Water and Conservation.

H. B. No. 1690, To Committee on Water and Conservation.

H. B. No. 1691, To Committee on Water and Conservation.

H. B. No. 1693, To Committee on Water and Conservation.

H. B. No. 1694, To Committee on Water and Conservation.

H. B. No. 1696, To Committee on Water and Conservation.

H. B. No. 1697, To Committee on Water and Conservation.

H. B. No. 1703, To Committee on Jurisprudence.

H. B. No. 1710, To Committee on Water and Conservation.

H. B. No. 1711, To Committee on Water and Conservation.

H. B. No. 1727, To Committee on Water and Conservation.

H. B. No. 1728, To Committee on Water and Conservation.

H. B. No. 1729, To Committee on Water and Conservation.

H. B. No. 1730, To Committee on Water and Conservation.

H. B. No. 1732, To Committee on Water and Conservation.

H. B. No. 1735, To Committee on Water and Conservation.

H. B. No. 1736, To Committee on Water and Conservation.

H. B. No. 963, To Committee on Finance.

H. B. No. 1737, To Committee on Water and Conservation.

H. B. No. 1751, To Committee on Water and Conservation.

H. B. No. 1764, To Committee on Water and Conservation.

H. B. No. 1768, To Committee on Water and Conservation.

H. B. No. 1769, To Committee on Water and Conservation.

H. B. No. 1823, To Committee on Water and Conservation.

H. B. No. 1825, To Committee on Water and Conservation.

H. B. No. 1882, To Committee on County, District and Urban Affairs.

Reports of Standing Committees

By unanimous consent, Senator Connally submitted the following report for the Committee on Parks and Wildlife:

S. R. No. 1357 (Floor report).

By unanimous consent, Senator Mauzy submitted the following report for the Committee on Education:

S. B. No. 1036 (Floor report).

By unanimous consent, Senator Word submitted the following report for the Committee on Legislative, Congressional and Judicial Districts:

H. B. No. 1459 (Floor report).

Senate Resolution 1357 Ordered Not Printed

On motion of Senator Connally and by unanimous consent, S. R. No. 1357 was ordered not printed.

House Bill 1459 Ordered Not Printed

On motion of Senator Aikin and by unanimous consent, H. B. No. 1459 was ordered not printed.

Senate Bill 1037 Ordered Not Printed

On motion of Senator Creighton and by unanimous consent, S. B. No. 1037 was ordered not printed.

Senate Bill 1036 Ordered Not Printed

On motion of Senator Aikin and by unanimous consent, S. B. No. 1036 was ordered not printed.

Message From the Governor

The following message from the Governor was read and referred to Committee on Nominations:

May 25, 1971.

To the Senate of the Sixty-second Legislature:

Due to the resignation of the individuals listed below, I am withdrawing their nominations to the respective boards and commissions:

Joseph Searcy Bracewell—Texas Water Development Board
Mrs. W. A. Moncrief, Jr.—Joint Board of Park Commissioners
Dale Resler—Texas Mass Transportation Commission

Jack Stone—Texas Conservation Foundation

Since these nominations are being withdrawn, no action by the Senate will be necessary.

Sincerely

PRESTON SMITH,
Governor of Texas.

Senate Resolution 1357 on Second Reading

The President Pro Tempore laid before the Senate the following resolution:

S. R. No. 1357, Requesting Parks and Wildlife Commission to study the feasibility of establishing a State Park in Maverick County.

The resolution was read and was adopted.

House Bill 882 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 882, A bill to be entitled "An Act amending Article 4501, Article 4503, Article 4505, Article 4509a, of the Revised Civil Statutes of Texas; providing for requirements for application for licensure by the Texas State Board of Medical Examiners; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 882 on Third Reading

Senator Aikin moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 882 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Christie
Bates	Connally
Beckworth	Grover
Bernal	Hall
Blanchard	Harrington
Bridges	Harris
Brooks	Herring

Hightower	Ratliff
Jordan	Schwartz
Kennard	Sherman
Kothmann	Snelson
Mauzy	Wallace
McKool	Watson
Moore	Wilson
Patman	Word

Absent—Excused

Creighton

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Creighton

(Senator Mauzy in Chair.)

Senate Bill 1036 on Second Reading

Senator Hightower moved that Senate Rules 13, 30 and 36 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 1036 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Christie
Bates	Connally
Beckworth	Creighton
Bernal	Grover
Blanchard	Hall
Bridges	Harrington
Brooks	Harris

Herring	Ratliff
Hightower	Schwartz
Jordan	Sherman
Kennard	Snelson
Kothmann	Wallace
Mauzy	Watson
McKool	Wilson
Moore	Word
Patman	

The Presiding Officer then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 1036, A bill to be entitled "An Act relating to the minimum tuition fee charged resident students at Texas junior colleges; amending Item 4, Subsection (b), Section 51.003, Texas Education Code; and declaring an emergency."

The bill was read the second time and was passed to engrossment.

Senate Bill 1036 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President laid S. B. No. 1036 before the Senate on its third reading and final passage.

The bill was read the third time and was passed.

House Bill 416 on Second Reading

Senator Hightower asked unanimous consent to suspend the regular order of business and take up H. B. No. 416 for consideration at this time.

There was objection.

Senator Hightower then moved to suspend the regular order of business and take up H. B. No. 416 for consideration at this time.

The motion prevailed by the following vote:

Yeas—26

Aikin	Harris
Bates	Herring
Beckworth	Hightower
Bernal	Jordan
Blanchard	Kennard
Bridges	Kothmann
Brooks	McKool
Christie	Moore
Creighton	Ratliff
Grover	Sherman
Harrington	Snelson

Wallace
Watson

Wilson
Word

Nays—3

Mauzy
Patman

Schwartz

Absent

Connally Hall

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 416, A bill to be entitled "An Act to be known as the 'Texas Pawnshop Act'; etc.; and declaring an emergency."

The bill was read second time.

Senator Hightower offered the following amendment to the bill:

Amend Section 12 of H. B. 416 by striking the word "ten" where it appears at line 22 on page 6 of the printed version of said bill, and by striking all of lines 23, 24, 25, 26, 27 and the words "period of time" on line 28, and substituting therefor the following:

"... two and one-half percent of the total amount when the total amount is greater than One Hundred Dollars, but not in excess of Three Hundred Dollars financed for one month, and one percent of the total amount when the total amount is greater than Three Hundred Dollars financed for one month, with proportionate adjustment for lesser periods of time, and in no case shall the amount financed exceed \$2,500.00."

The amendment was read and was adopted.

On motion of Senator Hightower and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 416 on Third Reading

Senator Hightower moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read in three several days be suspended and that H. B. No. 416 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Hightower
Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Blanchard	McKool
Bridges	Moore
Brooks	Ratliff
Christie	Sherman
Creighton	Snelson
Grover	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word

Nays—3

Mauzy Schwartz
Patman

Absent

Connally Hall

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Patman asked to be recorded as voting "Nay" on the final passage of the bill.

Senate Bill 1039 on First Reading

Senator Schwartz moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	

Absent

Hall Word

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Schwartz:

S. B. No. 1039, A bill to be entitled "An Act relating to the creation, operation, and duties, of park boards in certain counties; amending Chapter 20, Acts of the 61st Legislature, Second Called Session, 1969 (Article 5415d-3, Vernon's Texas Civil Statutes); and declaring an emergency."

To Committee on Water and Conservation.

(President Pro Tempore in Chair.)

House Bill 952 on Second Reading

On motion of Senator Herring and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 952, A bill to be entitled "An Act making appropriations for and directing payment of certain miscellaneous claims and judgments out of the General Revenue Fund; requiring approval of the claims in the manner specified in the act before payment is made; and declaring an emergency."

The bill was read second time.

Senator Herring offered the following amendment to the bill:

Amend H. B. 952 by adding subsection (a) under Section 2 as follows:

(a) In Cause No. 181,374, in the District Court of Travis County, styled A. P. Boyett, Sr., et al., versus Robert S. Calvert, Comptroller of Public Accounts, the court entered a final judgment on December 22, 1970, which provided in part as follows:

"This judgment shall not be retroactive nor construed to apply with respect to persons not parties to this action nor with respect to any person or persons being paid by the Comptroller where such person or persons holding elective office and being paid by the Comptroller of Public Accounts of the State of Texas have tendered their resignation from, or vacated, such elective office prior to the entry of this amended judgment."

The claimants listed below were not parties to the above action, or par-

ties defendant in any other action of a similar nature and each had tendered his respective resignation from elective office prior to December 22, 1970. The salaries provided to be paid are for services actually rendered to the respective departments prior to December 22, 1970 and such claims shall be paid to the persons in the amounts and from the following sources as follows:

(1) Gordon Carlson, Manor, Texas—For unpaid salary for the month of November, 1970, to be paid out of the salary of classified positions by the Water Development Board in the amount of \$1,375.00 (As appropriated in H. B. 2 of the 61st Legislature for the 1970-71 biennium)

(2) George Schaefer, Austin, Texas—For unpaid salary from November 1, 1970 through December 17, 1970, while employed as Accountant II with the State Treasury Department, in the amount of \$1,229.43 (As appropriated in H. B. 2 of the 61st Legislature for the 1970-71 biennium)

(3) Fred E. Geiger, Austin, Texas—For unpaid salary from November 1, 1970 to December 17, 1970, while employed as an Engineering Technician V with the Texas Water Development Board, in the amount of \$1,402.78 (As appropriated in H. B. 2 of the 61st Legislature for the 1970-71 biennium)

(4) William J. Moltz, Jr., Buda, Texas—For unpaid salary from November 1, 1970 to December 17, 1970, while employed as an Engineering Technician IV with the Texas Water Development Board, in the amount of \$1,229.46 (As appropriated in H. B. 2 of the 61st Legislature for the 1970-71 biennium)

(5) Ivan Stout, Austin, Texas—For unpaid salary for the month of November, 1970, and for the day of December 1, 1970, to be paid out of the salary for classified positions by the Water Development Board in the amount of \$1,435.90 (As appropriated in H. B. 2 of the 61st Legislature for the 1970-71 biennium)

(6) Howard C. Anderson, Manor, Texas—For unpaid salary for the period of November 1, 1970 through December 8, 1970, to be paid out of the salary of classified positions by the State Board of Insurance in the amount of \$998.97 (As appropriated in H. B. 2 of the 61st Legislature for the 1970-71 biennium)

The amendment was read and was adopted.

On motion of Senator Herring and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 952 on Third Reading

Senator Herring moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 952 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 578 on Second Reading

On motion of Senator Herring and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 578, A bill to be entitled "An Act making appropriations for and directing payment of certain miscellaneous claims and judgments out of the General Revenue Fund and other funds designated herein; requiring approval of the claims in the manner specified in the Act before payment is made; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 578 on Third Reading

Senator Herring moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 578 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 638 on Second Reading

On motion of Senator Moore and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 638, A bill to be entitled "An Act relating to amending the inheritance tax law to change the time for the presumption that a gift is made in contemplation of death, etc., and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 638 on Third Reading

Senator Moore moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 638 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Reports of Standing Committees

By unanimous consent, Senator Creighton submitted the following reports for the Committee on Water and Conservation:

H. B. No. 1417.

H. B. No. 1844.

H. B. No. 922.

H. B. No. 1412.

S. B. No. 1039.

By unanimous consent, Senator Herring submitted the following report for the Committee on Jurisprudence:

H. B. No. 1703 (Floor report).

By unanimous consent, Senator Jordan submitted the following report for the Committee on Youth Affairs:

H. B. No. 470 (Floor report).

House Bill 1796 Ordered Not Printed

On motion of Senator Wilson and by unanimous consent, H. B. No. 1796 was ordered not printed.

House Bill 1798 Ordered Not Printed

On motion of Senator Wilson and by unanimous consent, H. B. No. 1798 was ordered not printed.

Motion Not to Print House Bill 28

Senator Wilson asked unanimous consent that H. B. No. 28 be ordered not printed.

There was objection.

Senator Wilson then moved that H. B. No. 28 be ordered not printed.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—15

Beckworth	Kennard
Bernal	Kothmann
Blanchard	McKool
Bridges	Schwartz
Brooks	Wallace
Harrington	Watson
Hightower	Wilson
Jordan	

Nays—13

Aikin	Mauzy
Bates	Moore
Christie	Patman
Connally	Ratliff
Creighton	Sherman
Grover	Snelson
Herring	

Absent

Hall	Word
Harris	

Senate Bill 344 with House Amendments

Senator Kennard called S. B. No. 344 from the President's table for consideration of the House amendments to the bill.

The President Pro Tempore laid the bill and the following House amendments before the Senate:

Committee Amendment No. 1

Amend S. B. 344 by striking all below the enacting clause and substituting the following:

"Section 1. DEFINITIONS. (a) 'Physical therapy' means the care of any bodily condition of any person by the use of heat, light, water, electricity, and physical massage, manipulations, and active, passive, and resistive exercise. The use of roentgen rays and radium for diagnostic and therapeutic purposes, and the use of electricity for surgical purposes, in-

cluding cauterization, are not authorized under the term 'physical therapy' as used herein, and a license issued hereunder shall not authorize the diagnosis of disease or the practice of medicine. 'Physical therapy' shall also include the evaluating of the patient by performing tests and/or measurements of neuromuscular sensorimotor, musculoskeletal, cardiovascular, and respiratory functions as an aid to treatment; planning and implementing initial and subsequent treatment programs on the basis of approved tests findings; delegating selective forms of treatment to supportive personnel with assumption of the responsibilities for the care of the patient and the continuing direction and/or supervision of the supported personnel; and the providing of consultative services for health, education and community agencies. The term 'physical therapy' as defined herein shall not include or authorize the employment of objective or subjective means without the use of drugs, surgery, x-ray therapy, or radium therapy for the purpose of ascertaining the alignment of the vertebra of the human spine or the practice of adjusting the vertebra of the human spine to correct any subluxation or misalignment thereof.

(b) 'Physical therapist,' 'physiotherapist,' or 'physical therapy technician' means a person who practices physical therapy. 'Hydrotherapist,' 'massage therapist,' 'mechanotherapist,' 'functional therapist,' 'physical therapy practitioner,' 'physical therapy specialist,' 'physiotherapy practitioner' are equivalent terms; any derivation of the above or any letters implying the above or equivalent terms or any reference to any one of them in this Act includes the others, but does not include certified corrective therapists and/or adapted or corrective physical education specialists.

(c) 'Physical therapist assistant' means a person who assists a physical therapist in the practice of physical therapy and whose activities require an understanding of physical therapy but do not require professional education in the physiological, anatomical, biological, physical, and clinical sciences involved in the practice of physical therapy, but does not include certified corrective therapists and/or adapted or corrective physical education specialists.

(d) 'Physical therapy aide' means a person who aids in the practice of physical therapy and whose activities require on-the-job training and on-site supervision by the physical therapist, but does not mean certified corrective therapists and/or adapted or corrective physical education specialists.

(e) 'Board' means the Texas Board of Physical Therapy Examiners."

Sec. 2. CREATION OF THE TEXAS BOARD OF PHYSICAL THERAPY EXAMINERS. (a) There is hereby created a Texas Board of Physical Therapy Examiners. The board shall consist of nine members appointed by the governor with the advice and consent of the Senate for terms of six years. The initial appointments shall be made so that three members serve until January 31, 1973, three members serve until January 31, 1975, and three members serve until January 31, 1977. Thereafter members shall serve terms of six years.

(b) The members of the board must be qualified for licensure under Section 8 of this Act and hold a certificate from the physical therapy curriculum of The University of Texas or an equivalent physical therapy curriculum. Members must be residents of this state and practitioners of physical therapy for five years immediately preceding appointment.

(c) Vacancies on the board shall be filled by appointment of the governor with the advice and consent of the Senate, for the remainder of the term.

(d) The board may appoint an executive secretary-treasurer at an annual salary as determined by legislative appropriation.

(e) No member of the board shall be liable to civil action for any act performed in good faith in the execution of his duties in this capacity.

Sec. 3. POWERS AND DUTIES OF THE BOARD. (a) It shall be the duty of the board to examine applicants for licenses at least once a year at such reasonable places and times as shall be designated by the board in its discretion.

(b) The board may employ additional employees, including licensed physical therapists to aid in administering examinations.

(c) The examination shall embrace the following subjects: anatomy, path-

ology, physiology, psychology, physics, electro-therapy, radiation therapy, hydrotherapy, massage therapy, exercises, physical therapy as applied to medicine, neurology, orthopedics, psychiatry, and technical procedures in the practice of physical therapy.

(d) The board shall have the power to issue, suspend, and revoke licenses and issue subpoenas.

(e) The board may adopt rules and regulations consistent with this Act to carry out its duties in administering this Act.

Sec. 4. ORGANIZATION. (a) The members of the board shall, upon appointment, elect from their number a chairman, secretary-treasurer, and other officers required for the conduct of business. Special meetings of the board shall be called by the chairman and secretary-treasurer, acting jointly, or on the written request of any two members. The board may make such bylaws and rules as may be necessary to govern its proceedings and to carry into effect the purpose of this Act.

(b) The secretary-treasurer shall keep a record of each meeting of the board, and a register containing the names of all physical therapists licensed pursuant to this Act, which shall be at all times open to public inspection. On March 1 of each year the secretary-treasurer shall transmit an official copy of the list of the licensees to the secretary of state for permanent record, a certified copy of which shall be admissible as evidence in any court of this state.

(c) The board shall assist the proper legal authorities in the prosecution of all persons violating any provision of this Act.

Sec. 5. COMPENSATION AND BOND. (a) The members of the board shall receive a per diem fixed by the board, not to exceed \$30 per day for each day they are actually engaged in the work of the board. The members shall be reimbursed for all actual and necessary expenses incurred in the performance of the duties required by this Act.

(b) The secretary-treasurer of the board shall, within 30 days of his appointment by the board, execute a bond in the sum of \$10,000 payable to the board, conditioned upon his faithful performance of the duties of his office and accounting of all funds com-

ing into his hands as secretary-treasurer. The bond shall be signed by two or more good and sufficient sureties or by a surety company authorized to do business in this state, and shall be approved by the chairman of the board.

"Section 6. EXEMPTIONS. The provisions of this Act do not apply to physicians licensed by the Texas State Board of Medical Examiners, to dentists, duly qualified and registered under the laws of this state, who confine their practice strictly to dentistry; nor to licensed optometrists, who confine their practice strictly to optometry as defined by statute; nor to duly licensed chiropractors who confine their practice strictly to chiropractic as defined by statute; nor to occupational therapists, who confine their practice to occupational therapy; nor to certified corrective therapists who confine their practice to corrective therapy, exercise, and/or adapted physical education; nor to Registered Nurses or Licensed Vocational Nurses who are licensed under the laws of this state and who confine their practice to nursing only; nor to licensed chiropodists or podiatrists, who confine their practice strictly to chiropody or podiatry as defined by statute; nor to masseurs or masseuses in their particular sphere of labor; nor to athletic trainers who under the supervision of a licensed physician carry out the practice of prevention and/or physical rehabilitation of injuries incurred in athletics; nor to employees of athletic clubs, employees or operators of health clubs, employees or operators of gymnasiums in their particular spheres of labor so long as their activity is non-medical and non-therapeutic in purpose and so long as their activity does not constitute the diagnosis or treatment of physical disease or defect; nor to salesmen or demonstrators of physical therapy equipment when engaged in selling such equipment; nor to any person employed by any agency, bureau or division of the Government of the United States while performing the duties of his employment; nor to an employee performing services under the direct supervision of a physician in a hospital licensed under Article 4437f, Vernon's Texas Civil Statutes; nor to legally qualified physical therapists of other states called in for consultation but who have no office in Texas and ap-

point no place in this state for seeing, evaluating, or treating persons; nor to students enrolled in an educational program approved by the Board."

Sec. 7. PROHIBITED ACTS. (a) No person may practice, or hold himself out as able to practice, physical therapy; or act or hold himself out as being a physical therapist unless he has first received a license under this Act.

(b) No person shall act or hold himself out as being a physical therapist assistant unless he has first received a license under this Act.

(c) A license is not required for a physical therapy aide.

Sec. 8. PHYSICAL THERAPIST LICENSE. (a) An applicant for a license as a physical therapist shall file a written application on forms provided by the board together with an examination fee of \$5. The applicant shall present evidence satisfactory to the board that he is of good moral character and that he has completed an accredited curriculum in physical therapy education which has provided adequate instruction in the basic sciences, clinical sciences, and physical therapy theory and procedures as determined by the board and:

(1) has completed a minimum of 60 academic semester credits or its equivalent from a recognized college which semester hour credits are acceptable for transfer to The University of Texas, including courses in the biological, social, and physical sciences; or

(2) has received a diploma from an accredited school of professional nursing.

(b) The board shall issue a license to each applicant who passes the examination, meets the qualifications set out in Subsection (a) of this section, has paid a \$25 license fee, and has not committed an act which constitutes grounds for denial of a license under Section 19 of this Act.

Sec. 9. PHYSICAL THERAPIST ASSISTANT LICENSE. (a) An applicant for a physical therapist assistant license shall file a written application with the board on forms provided by the board together with an examination fee of \$5. The applicant shall present evidence that he is of good moral character and has completed a program of at least two years' duration offered by a college

accredited by a recognized accrediting agency including elementary or intermediate courses in the anatomical, biological, physical sciences, and clinical procedures as prescribed and approved by the board.

(b) The board shall issue a license to each applicant who passes the examination, meets the qualifications set out in Subsection (a) of this section, pays a \$15 license fee, and has not committed an act which constitutes grounds for denial of a license under Section 19 of this Act.

Sec. 10. RECIPROCAL LICENSES. A person who is licensed or otherwise registered as a physical therapist or as a physical therapist assistant by another state, the District of Columbia, or a territory of the United States whose requirements for licensure or registration were at the date of licensing or registration substantially equal to the requirements set forth in this Act, may receive a physical therapist license without examination upon submission of an application on forms prescribed by the board and payment of a \$30 reciprocal license fee.

Sec. 11. TEMPORARY LICENSES. (a) The board shall issue a temporary license without examination to a physical therapist or physical therapist assistant who meets the qualifications set out in Sections 8 and 9 of this Act upon submission of a written application prescribed by the board, proof that the applicant is in this state on a temporary basis to assist in a case of medical emergency or to engage in a special physical therapy project, and payment of a \$20 physical therapist temporary license fee or \$12.50 physical therapist assistant temporary license fee. This license expires one year from the date of issue.

(b) The board shall issue a temporary license to a person who has applied for a license and meets the qualifications under the provisions of Sections 8 or 9 of this Act. This license expires upon completion of the next administered examination whether or not the applicant passes the examination.

Sec. 12. PROFESSIONAL TITLE. A licensed physical therapist may use the title "Licensed Physical Therapist." No other person may be so designated or permitted to use the term

"Licensed Physical Therapist." The license as a physical therapist does not authorize the use of the prefix, "Dr.," the word "Doctor," or any suffix or affix indicating or implying that the licensed person is a physician.

Sec. 13. REEXAMINATION. (a) Any applicant who fails to pass an examination given by the board may take another examination in the subjects in which he failed without payment of an additional examination fee, but must be so reexamined not less than 6 months nor more than 12 months after the unsuccessful examination.

(b) Upon failure of an applicant to pass a second examination the board may require him to complete additional courses of study designated by the board, in which case the applicant shall be required to present to the board satisfactory evidence of having completed the required additional courses before taking another examination and shall pay an additional fee equal to the fee required for filing the original application.

Sec. 14. DISPLAY OF LICENSE. Each licensee shall display his license and renewal certificate in a conspicuous place in the principal office where he practices physical therapy.

Sec. 15. RENEWAL OF UNEXPIRED LICENSES. (a) All licenses issued under this Act except temporary licenses expire one year from the date of issue.

(b) A renewal license shall be issued upon submission of an application form prescribed by the board and payment of the renewal fee as set out in this Act prior to the expiration date of the license.

Sec. 16. RENEWAL OF AN EXPIRED LICENSE. (a) A license which has expired for less than 5 years from the date of application for renewal may be renewed by submission of an application form prescribed by the board, payment of a \$2 fee for each year the license was expired without renewal, and payment of a \$5 restoration fee.

(b) A license which has expired for more than five years may be reinstated only by complying with the requirements and procedures for issuing the original license.

Sec. 17. LICENSE RENEWAL FEES. The renewal fees for licenses issued under this Act shall be established by the board according to the following schedule:

(1) physical therapist license—not to exceed \$20; and

(2) physical therapist assistant—not to exceed \$12.50.

Sec. 18. PENALTIES. (a) Any person who violates a provision of this Act is guilty of a misdemeanor and upon conviction is punishable by a fine of not less than \$50 nor more than \$500, or by imprisonment in the county jail for not more than 60 days, or both.

(b) Each day of violation constitutes a separate offense.

(c) Any person who knowingly makes a false statement in his application for a license under this Act or in response to an inquiry of the board is guilty of a misdemeanor and upon conviction is punishable by a fine of not less than \$200 nor more than \$500, or imprisonment in the county jail for not less than 60 days nor more than one year, or both.

Sec. 19. GROUNDS FOR DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE. A license may be denied, or after hearing, suspended or revoked if the applicant or licensee has:

(1) practiced physical therapy other than upon the referral of a physician licensed to practice medicine by the Texas State Board of Medical Examiners or the Texas State Board of Dental Examiners in this state, or a doctor licensed to practice chiropractic by the Texas Board of Chiropractic Examiners; or, in the case of practice as a physical therapist assistant, has practiced other than under the direction of a registered licensed physical therapist;

(2) used drugs or intoxicating liquors to an extent which affects his professional competency;

(3) been convicted for violating any municipal, state or federal narcotic law;

(4) been convicted of a felony or of a crime involving moral turpitude;

(5) obtained or attempted to obtain a license by fraud or deception;

(6) been grossly negligent in the practice of physical therapy or in acting as a physical therapist assistant;

(7) been adjudged mentally incompetent by a court of competent jurisdiction;

(8) been guilty of conduct unbecoming a person licensed as a physical therapist or a physical therapist

assistant or of conduct detrimental to the best interest of the public;

(9) been guilty of soliciting patients, advertising, or any form of self-aggrandizement.

Sec. 20. PROCEDURES FOR DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE. (a) Any person whose application for a license is denied is entitled to a hearing before the board if he submits a written request to the board.

(b) Proceedings for revocation or suspension of a license shall be commenced by filing charges with the board in writing and under oath. The charges may be made by any person or persons.

(c) The board shall fix a time and place for a hearing and shall cause a written copy of the charges or reason for denial of a license, together with a notice of the time and place fixed for the hearing, to be served on the applicant requesting the hearing or licensee against whom the charges have been filed at least 20 days prior to the date set for the hearing. Service of charges and notice of hearing may be given by certified mail to the last known address of the licensee or applicant.

(d) At the hearing the applicant or licensee has the right to appear either personally or by counsel, or both, to produce witnesses, and to have subpoenas issued by the board and to cross-examine opposing or adverse witnesses.

(e) The board is not bound by strict rules of procedure or by the laws of evidence in the conduct of the proceedings but the determination shall be founded upon sufficient legal evidence to sustain it.

(f) The board shall determine the charges on their merits and enter an order in a permanent record, setting forth the findings of fact and law and the action taken. A copy of the order of the board shall be mailed to the applicant or licensee at his last known address by certified mail.

(g) On application, the board may reissue a license to a person whose license has been cancelled or revoked, but the application may not be made prior to the expiration of a period of six months after the order of cancellation or revocation has become final, and the application shall be made in the manner and form as the board may require.

Sec. 21. PROCEDURES FOR APPEAL. (a) A person whose application for a license has been refused or whose license has been cancelled, revoked, or suspended by the board may take an appeal, within 20 days after the order is entered, to any district court of Travis County or to any district court of the county of his residence.

(b) A case reviewed under the provisions of this section proceeds in the district court by trial de novo as that term is used and understood in appeals from justice of the peace courts to the county courts of this state. Appeal from the judgment of the district court lies as in other civil cases.

Sec. 22. FEES. All fees received by the board under this Act shall be deposited in the state treasury to the credit of the general revenue fund.

Sec. 23. ISSUANCE OF LICENSES ON THE EFFECTIVE DATE OF ACT. (a) On the effective date of this Act, any person who is practicing physical therapy or engaged as a physical therapist assistant in this state shall be issued a license without examination upon application to the board, proof that he meets the qualifications for license set out in Section 8 or 9 of this Act, and payment of a \$30 license fee. Applications for a license under this subsection must be made within 30 days from the effective date of this Act.

(b) On the effective date of this Act, any person who is practicing physical therapy or engaged as a physical therapist assistant for at least five years but does not meet the qualifications set out in Section 8 or 9 of this Act, may be issued a license upon submission of an application on forms prescribed by the board, successful completion of a written examination administered by the board, and payment of a \$30 license fee. Applications for a license under this subsection must be made within 90 days from the effective date of this Act.

Sec. 24. EFFECTIVE DATE. This Act is effective September 1, 1971, except Section 7 which is effective January 1, 1972.

Sec. 25. SEVERABILITY. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the in-

valid provision or application, and to this end the provisions of this Act are declared to be severable.

Sec. 26. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Amendment No. 1

Amend Committee Amendment No. 1 to S. B. 344 by adding at the end of Section 6 the following:

"Nothing in this act shall be construed to authorize the practice of optometry, including vision therapy, hand-eye coordination exercises, visual training, and developmental vision therapy by any person not licensed by the Texas Optometry Board."

The House amendments were read.

Senator Kennard moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

Senate Bill 1039 Ordered Not Printed

On motion of Senator Schwartz and by unanimous consent, S. B. No. 1039 was ordered not printed.

House Bill 1064 Re-Referred

On motion of Senator Aikin and by unanimous consent, H. B. No. 1064

was withdrawn from the Committee on Finance and re-referred to the Committee on Education.

House Bill 956 Re-Referred

On motion of Senator Kennard and by unanimous consent, H. B. No. 956 was withdrawn from the Committee on State Affairs and re-referred to the Committee on State Departments and Institutions.

(Senator Kennard in Chair.)

House Bill 1412 Ordered Not Printed

On motion of Senator Creighton and by unanimous consent, H. B. 1412 was ordered not printed.

Senate Bill 838 With House Amendments

Senator Watson called S. B. No. 838 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and the following House amendments before the Senate:

Amendment No. 1

Amend S. B. 838, Second Printing, line 37, second page, by striking said sentence and substituting in lieu thereof the following:

"which is directly involved as a party in litigation at the time this act becomes effective."

Amendment No. 2

Amend S. B. 838, Second Printing, by adding a new section thereto numbered 5, and renumbering the subsequent sections thereafter, said new section to read as follows:

"Section 5. All actions of a Commissioner's Court of any county in this state in acquiring property and the subsequent conveyance of such property by deeds of record in any county in this state to the Board of Regents of The University of Texas, as trustees, for the use and benefit of The University of Texas are hereby ratified and confirmed and in all things approved."

Amendment No. 3

Amend S. B. No. 838 by adding a new Section 4a as follows:

"Sec. 4a. The adoption of an ordinance to change the form of government of a general law city with a population between 950 and 1,100 from commission to aldermanic is hereby in all respects validated as of the date of such proceedings."

Amendment No. 4

Amend S. B. No. 838 by inserting on page 2, between Section 3 and Section 4 of the bill, the following and renumbering all following sections accordingly:

Section 4. That all assessments and reassessments for street or highway improvements and the liens and liabilities created thereby heretofore levied or purported to be levied by any and all cities in the state against properties abutting their streets or highways and against the owners of such properties, and all proceedings of the governing bodies of such cities levying or purporting to levy such assessments or reassessments are in all respects validated and shall have the force and effect provided by the provisions of Chapter 106 of the Fortieth Legislature, First Called Session, 1927, as amended, except that nothing herein shall be construed to validate or to legalize any assessment lien levied or attempted to be levied against any property or interest in property exempt at the time the improvements were ordered from the lien or special assessment for street improvements.

Section 5. All assignable certificates of special assessment issued in evidence of such assessments or reassessments are hereby validated according to their terms. Any city which has not yet issued assignable certificates of special assessments to evidence such assessments may issue same and such certificates shall be valid and legal.

Section 6. This Act is not intended to validate, nor does it apply to any assessments or reassessments for street improvements, which are the subject matter of any litigation pending on the effective date of this Act, in any court of competent jurisdiction in this state in which the validity thereof is being challenged, if such litigation is ultimately determined against the validity of same.

Committee Amendment No. 1

Amend S. B. No. 838 by adding the following section between the present Section 3 and Section 4 of the bill, and renumbering the present Sections 4, 5, and 6:

Sec. 4. In every instance where the County Court or Commissioners Court in any county of this State acting as such court has leased or attempted to lease a nursing home or an interest therein belonging to said county to any person, firm, or corporation, and where the County Court or Commissioners Court has made, executed, and delivered to any such person, firm, or corporation an instrument purporting to lease such nursing home, and where the lessee or his successors has enlarged or developed the facility, then all such leases or attempted leases are hereby validated, ratified, confirmed, and approved.

The House amendments were read.

Senator Watson moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

Senate Bill 951 With House Amendments

Senator Watson called S. B. No. 951 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and the following House amendments before the Senate:

Amendment No. 1

Amend S. B. No. 951 by striking all below the enacting clause and substituting the following:

Section 1. Subchapter C, Chapter 21, Texas Education Code, is amended by adding Section 21.080, to read as follows:

"Section 21.080. TRANSFER OF CHILDREN OF EMPLOYEES OF STATE SCHOOLS. The school-age child of an employee of a state school for the mentally retarded which is constituted as a school district who resides within the boundaries of the state school property but who is not a student at the state school is entitled to attend school in a school district adjacent to the state school free of any charge to his parents or guardian. Any tuition charge required by the admitting school district shall be paid by the school district constituting the state school out of funds allotted to it by the Central Education Agency."

Sec. 2. The fact that children of employees of the Texas Department of Mental Health and Mental Retardation who reside on the grounds of its institutions are ineligible to attend the schools which have been created to provide education for the mentally ill patients and the mentally retarded students of such institutions, and the fact that the parents of such children are required to pay a transfer tuition fee to enable their children to attend adjacent public schools create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Amendment No. 2

Amend S. B. No. 951 by striking all above the enacting clause and substituting the following:

**A BILL
TO BE ENTITLED**

An Act to permit certain students to attend school in adjacent school districts; amending Subchapter C, Chapter 21, Texas Education Code, by adding Section 21.080; and declaring an emergency.

The House amendments were read.

Senator Watson moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

Report of Standing Committees

By unanimous consent, Senator Wilson submitted the following report for the Committee on Constitutional Amendments:

H. J. R. No. 41 (Floor report).

By unanimous consent, Senator Herring submitted the following report for the Committee on Jurisprudence:

H. B. No. 1181 (Amended) (Floor report).

Senate Resolution 1362

Senator Watson offered the following resolution:

S. R. No. 1362, Providing for the creation of an Interim "Communications and Information System Study Committee."

The resolution was read and was referred to the Committee on Administration.

Reports of Standing Committees

By unanimous consent, Senator Brooks submitted the following report for the Committee on State Departments and Institutions:

H. B. No. 1851 (Floor report).

By unanimous consent, Senator Creighton submitted the following re-

ports for the Committee on Water and Conservation:

H. B. No. 1690.

H. B. No. 1691.

H. B. No. 1694.

H. B. No. 1696.

H. B. No. 1697.

House Bill 1690 Ordered Not Printed

On motion of Senator Brooks and by unanimous consent, H. B. No. 1690 was ordered not printed.

House Bill 1691 Ordered Not Printed

On motion of Senator Brooks and by unanimous consent, H. B. No. 1691 was ordered not printed.

House Bill 1694 Ordered Not Printed

On motion of Senator Brooks and by unanimous consent, H. B. No. 1694 was ordered not printed.

House Bill 1696 Ordered Not Printed

On motion of Senator Brooks and by unanimous consent, H. B. No. 1696 was ordered not printed.

House Bill 1697 Ordered Not Printed

On motion of Senator Brooks and by unanimous consent, H. B. No. 1697 was ordered not printed.

Reports of Standing Committees

By unanimous consent, Senator Moore submitted the following report for the Committee on State Affairs:

H. B. No. 502 (Floor report).

By unanimous consent, Senator Brooks submitted the following report for the Committee on State Departments and Institutions:

H. B. No. 281 (Floor report).

Message From the House

Hall of the House of Representatives

Austin, Texas,
May 25, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 48, A bill to be entitled "An Act amending Article 44.04, Texas Code of Criminal Procedure, 1965, providing the rules governing bail pending appeal; providing for no bail pending appeal in certain instances; providing for the denial of bail in certain instances; and declaring an emergency."

H. B. No. 160, A bill to be entitled "An Act relating to providing a presumption that a person knowingly receives or conceals stolen property under certain circumstances; amending Article 1430, Penal Code of Texas, 1925; and declaring an emergency."

H. B. No. 517, A bill to be entitled "An Act relating to the transfer of voluntary mental patients; amending Sections 73, 74, and 75, Texas Mental Health Code (Articles 5547-73, 5547-74, and 5547-75, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 653, A bill to be entitled "An Act relating to authorizing the county judge of certain counties to appoint a county industrial commission; and declaring an emergency."

H. B. No. 694, A bill to be entitled "An Act relating to the licensing of certain insurance agents and the license and appointment fees of certain insurance agents; amending Sections 1, 2, 5, 6, Subsection (c) of Section 7, and Section 14, Article 21.07, Texas Insurance Code, as amended; and declaring an emergency."

H. B. No. 728, A bill to be entitled "An Act amending the Probate Code by adding a Section 37A to provide the means whereby any person who may be entitled to receive property under any will of or by any inheritance from a decedent may disclaim and renounce such property; providing definitions of "property"; providing for the service of notice of such disclaimer; providing that testators may provide by will for disclaimer; providing for disclaimers by minors, incompetents or estates of decedents; providing for revocation of disclaimers; providing for partial disclaimers; prohibiting disclaimer after acceptance of such property; and declaring an emergency."

H. B. No. 825, A bill to be entitled "An Act prohibiting members of the State Banking Board from being in-

debted to or holding an interest in a state bank; amending Subchapter II, Texas Banking Code of 1943, as amended (Article 342-201, et seq., Vernon's Texas Civil Statutes), by adding an Article 12; providing penalties; and declaring an emergency."

H. B. No. 1096, A bill to be entitled "An Act providing for a referendum on the question of 'Authorizing the use of State Funds for the benefit of private and parochial primary and Secondary schools'; and declaring an emergency."

H. B. No. 1213, A bill to be entitled "An Act relating to election of the county auditor in certain counties; and declaring an emergency."

H. B. No. 1441, A bill to be entitled "An Act relating to the distribution of equalization tax funds to school districts; amending Subsections (b) and (c), Section 18.14, Texas Education Code; and declaring an emergency."

H. B. No. 1504, A bill to be entitled "An Act relating to submission of false credit information to a credit rating bureau; providing penalties; and declaring an emergency."

H. B. No. 1653, A bill to be entitled "An Act dissolving Harris County Water Control and Improvement District No. 97, and declaring same to be null and void; determining and finding the requirements of Article 16, Section 59(d), Constitution of Texas, have been fulfilled and accomplished; providing a severability clause; and declaring an emergency."

H. B. No. 1659, A bill to be entitled "An Act to amend Chapter 57, Acts of the Forty-first Legislature, Regular Session, 1929, as amended, by adding Section 5-B, to provide a means by which building lines can be established on highways and roads in Montgomery County; providing for the enforcement of the provisions of the Act; providing a severability clause; and declaring an emergency."

H. B. No. 1701, A bill to be entitled "An Act granting Harris County Fresh Water Supply District No. 61 the power and authority to construct and maintain all works and improvements necessary or convenient for the prevention of floods, drainage of lands, construction of levees and al-

teration of land elevation, and the power and authority to issue orders, adopt rules and regulations, and perform any other act necessary or convenient to carry out purposes of this Act; determining and finding the requirements of Article 16, Section 59(d), Constitution of Texas, have been fulfilled and accomplished; providing a severability clause; and declaring an emergency."

H. B. No. 1756, A bill to be entitled "An Act relating to the composition and terms of office of the Texas Board of Licensure for Nursing Home Administrators; amending Subsections (1), (4), and (7), Section 3, Texas Nursing Home Administrators Licensure Act (Article 4442d, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 1758, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Article 16, Section 59, Constitution of Texas, in Montgomery County, Texas, to be known as Spring Creek Utility District; etc.; and declaring an emergency."

H. B. No. 1773, A bill to be entitled "An Act relating to the compensation of the district attorney of the 75th Judicial District; amending Section 1, Chapter 754, Acts of the 61st Legislature, Regular Session, 1969 (Article 326k-56a, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 1834, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article XVI, Section 59, Constitution of Texas, known as Rayo DeSol Utility District; etc.; and declaring an emergency."

H. B. No. 1857, A bill to be entitled "An Act relating to the assignment of certain retired district judges to sit in certain courts; amending Chapter 156, Acts of the 40th Legislature, Regular Session, 1927, as amended (Article 200a, Vernon's Texas Civil Statutes); and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Bills and Resolution Signed

The Presiding Officer announced the signing by the President in the presence of the Senate after the caption had been read, the following enrolled bills and resolution:

S. B. No. 727 (Again signed).

S. B. No. 911.

S. B. No. 835.

S. B. No. 811.

S. B. No. 529.

S. B. No. 189.

S. B. No. 561.

S. B. No. 4.

S. B. No. 607.

S. B. No. 535.

S. B. No. 1026.

S. B. No. 1025.

S. B. No. 397.

S. B. No. 703.

S. B. No. 967.

S. B. No. 557.

S. B. No. 620.

S. B. No. 919.

S. B. No. 928.

S. B. No. 460.

S. B. No. 941.

S. B. No. 337.

S. B. No. 942.

S. B. No. 43.

S. B. No. 369.

S. C. R. No. 89.

H. B. No. 1766.

H. B. No. 764.

H. B. No. 735.

H. B. No. 602.

H. B. No. 461.

H. B. No. 212.

H. B. No. 144.

H. B. No. 132.

H. B. No. 1479.

H. B. No. 1418.

H. B. No. 1409.

H. B. No. 1607.

H. B. No. 1492.

H. B. No. 1535.

H. B. No. 1705.

H. B. No. 1684.

H. B. No. 1654.

H. B. No. 1752.

H. B. No. 936.

H. B. No. 827.

H. B. No. 1380.

H. B. No. 1383.

H. B. No. 1407.

H. B. No. 1406.

H. B. No. 1401.

H. B. No. 1386.

Senate Concurrent Resolution 119

By unanimous consent, Senator Jordan offered the following resolution:

S. C. R. No. 119, Granting Frank R. Washburn permission to sue the State of Texas.

The resolution was read and was referred to the Committee on Jurisprudence.

(Senator Snelson in Chair.)

**Senate Joint Resolution 57 on
Second Reading**

Senator Bernal asked unanimous consent to suspend the regular order of business and take up S. J. R. No. 57 for consideration at this time.

There was objection.

Senator Bernal then moved to suspend the regular order of business and take up S. J. R. No. 57 for consideration at this time.

The motion prevailed by the following vote:

Yeas—20

Aikin	Kennard
Bates	Kothmann
Beckworth	Mauzy
Bernal	McKool
Bridges	Patman
Brooks	Schwartz
Harrington	Snelson
Herring	Wallace
Hightower	Watson
Jordan	Wilson

Nays—8

Blanchard	Harris
Connally	Ratliff
Creighton	Sherman
Grover	Word

Absent

Christie	Moore
Hall	

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. J. R. No. 57, Proposing an amendment to Article III, Section 51-a, of the Texas Constitution; to authorize the Legislature to appropriate necessary funds for assistance grants for the needy aged, the needy disabled, the needy blind, and for needy dependent children and the caretakers of such children.

The resolution was read second time.

Senator Bernal offered the following Committee Amendment to the resolution:

Amend S. J. R. No. 57 by striking Subdivision (1) of quoted Section 51-a and substituting the following:

"(1) Needy aged persons who are citizens of the United States or non-citizens who shall have resided within the boundaries of the United States for at least twenty-five (25) years;"

The Committee Amendment was read and was adopted.

On motion of Senator Bernal and by unanimous consent, the caption was amended to conform to the body of the resolution as amended.

The resolution as amended was passed to engrossment by the following vote:

Yeas—23

Aikin	Kennard
Bates	Kothmann
Beckworth	Mauzy
Bernal	McKool
Bridges	Moore
Brooks	Patman
Christie	Schwartz
Hall	Snelson
Harrington	Wallace
Herring	Watson
Hightower	Wilson
Jordan	

Nays—8

Blanchard	Harris
Connally	Ratliff
Creighton	Sherman
Grover	Word

House Bill 628 on Second Reading

On motion of Senator Kennard and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 628, A bill to be entitled "An Act abolishing the office of county superintendent in all counties which have no common school districts; and declaring an emergency."

The bill was read second time.

Senator Kennard offered the following Committee Amendment to the bill:

Amend House Bill No. 628 by striking Section 2 and substituting in lieu thereof the following:

"Section 2. Nothing in this bill shall apply to counties of 900,000 or more where the county superintendent and his staff are paid by the county. There shall be a county superintendent's office in these counties whether or not there is a common school district therein. The salaries of the county superintendent and his employees shall be set by the school board in said county."

"All counties in which an equalization fund has heretofore been created are hereby authorized to continue to levy, assess and collect in the same manner the same rate of tax or not to exceed the rate of tax heretofore authorized or attempted to be authorized by any election of the taxpaying

voters of the county under any Act heretofore passed by the Legislature whether general or special; it being intended that the repeal of statutes by this Act shall not repeal or affect any tax or authority or power heretofore granted by the Legislature under which any tax has heretofore been authorized or attempted to be authorized by an election held under any Act or Acts of the Legislature heretofore enacted, whether general or special."

The Committee Amendment was read and was adopted.

Senator Kennard offered the following amendment to the bill:

Amend House Bill No. 628 by deleting all above the enacting clause and substituting in lieu thereof the following:

**"A BILL
TO BE ENTITLED**

An Act abolishing, with certain exceptions, the office of county superintendent in all counties which have no common school districts, common consolidated or rural high school districts; providing for the performance of duties of that office; providing effective date of such abolition; providing a severability savings clause; and declaring an emergency."

The amendment was read and was adopted.

On motion of Senator Kennard and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

(President in Chair.)

The bill as amended was passed to third reading.

Record of Vote

Senator Watson asked to be recorded as voting "Nay" on the passage of the bill to third reading.

House Bill 628 on Third Reading

Senator Kennard moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that

H. B. No. 628 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Harrington	Wallace
Harris	Wilson
Herring	Word

Nays—2

Hightower	Watson
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Absent

Hall

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Watson asked to be recorded as voting "Nay" on the final passage of the bill.

**Conference Committee Report
on Senate Bill 817**

Senator Schwartz submitted the following Conference Committee Report:

Austin, Texas,
May 25, 1971.

Hon. Ben Barnes, President of the Senate.

Hon. Gus Mutscher, Speaker of the House of Representatives.

Sir: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on Senate Bill 817 have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

SCHWARTZ
BLANCHARD
AIKIN
RATLIFF
PATMAN

On the part of the House.

HARRIS
HUBENAK
NICHOLS
BRAUN
NEUGENT

On the part of the House.

S. B. No. 817:

A BILL
TO BE ENTITLED

An Act providing for the minimum salary of the Judge of County Court No. 1 of Galveston County and County Court No. 2 of Galveston County; amending Chapter 269, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 1970-342a, Vernon's Texas Civil Statutes); and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Section 11, Chapter 269, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 1970-342a, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 11. (a) The Judge of the County Court No. 1 of Galveston County shall take the oath of office prescribed by the Constitution, but no bond shall be required of him.

"(b) The Judges of the County Court No. 1 and of the County Court No. 2 shall each be paid an annual salary of not less than the amount paid the County Judge of Galveston County, but in no event more than the amount paid District Judges from the General Revenue Fund of the State of Texas. The salary shall be paid to each Judge in equal monthly installments out of the General Fund of Galveston County, Texas, by warrants drawn upon the County Treasury upon orders of the Commissioners Court of Galveston County, Texas."

Sec. 2. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three

several days in each House be suspended, and said Rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report was read and was adopted.

Conference Committee Report
on Senate Bill 818

Senator Schwartz submitted the following Conference Committee Report:

Austin, Texas,
May 25, 1971.

Hon. Ben Barnes, President of the Senate.

Hon. Gus Mutscher, Speaker of the House of Representatives.

Sir, We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on Senate Bill 818 have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

SCHWARTZ
BLANCHARD
AIKIN
RATLIFF
PATMAN

On the part of the Senate.

HARRIS
HUBENAK
NICHOLS
BRAUN
NEUGENT

On the part of the House.

S. B. No. 818:

A BILL
TO BE ENTITLED

An Act providing for the minimum salary of the Judge of County Court No. 2 of Galveston County; amending Chapter 187, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 1970-342, Vernon's Texas Civil Statutes); and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Section 9, Chapter 187, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 1970-342, Vernon's Texas Civil Statutes), is amended to read as follows:

Section 9. The Judge of the County Court No. 2 shall be paid by the Commissioners Court of Galveston County a yearly salary not less than the amount paid the County Judge of Galveston County but in no event more than the amount paid District Judges from the General Revenue Fund of the State of Texas. The salary shall be paid out of the general fund of the County in equal monthly installments by warrants drawn upon the County Treasury upon orders of the Commissioners Court of Galveston County, Texas."

Sec. 2. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring a bill to be read on three several days in each House be suspended, and said Rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report was read and was adopted.

House Bill 1007 Ordered Not Printed

On motion of Senator Wilson and by unanimous consent, H. B. No. 1007 was ordered not printed.

House Bill 1851 Ordered Not Printed

On motion of Senator Wilson and by unanimous consent, H. B. No. 1851 was ordered not printed.

Senate Bill 146 With House Amendments

Senator Mauzy called S. B. No. 146 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

Amendment No. 1

Amend S. B. 146 by striking all below the enacting clause and substituting the following:

Section 1. Contributory negligence shall not bar recovery in any negligence action if such contributory negligence is less than the negligence of the person or persons jointly against whom recovery is sought. In the event that the person seeking recovery, or

a decedent in a death action, is found to be less negligent than the person or persons jointly from whom recovery is sought, any legal damages awarded shall be reduced by the jury in its verdict by the percentage of negligence attributable to the person seeking recovery; and the court shall so instruct the jury by reading the foregoing paragraph.

Sec. 2. In comparative negligence cases, wherein recovery is sought against more than one party and the causal negligence of the party seeking an affirmative recovery is less than the negligence of all the parties from whom recovery is sought, contribution to the damages awarded shall be in proportion to the percentage of negligence attributable to each party from whom recovery is sought. Any defendant or defendants shall be entitled only to an offset from said entire award of any sums paid in settlement to the party seeking recovery by any other alleged tort-feasor who is not then a party to the suit. All claims for contribution and indemnity, not based on contract between defending parties, over which the Texas courts have in personam jurisdiction, must be determined in the primary suit.

Sec. 3. If any word, phrase, clause, provision, sentence, part or parts of this Act shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the remaining parts of this Act and all remaining parts shall be valid. The Legislature hereby declares that it would have passed the remaining parts of this Act if it had known such word, phrase, clause, provision, sentence, part or parts thereof would be declared invalid or unconstitutional.

Sec. 4. Article 2212, Revised Civil Statutes of Texas, 1925, is hereby modified or repealed to the extent, and only to the extent, of any conflict with the provisions of this Act. Nothing herein shall be construed to repeal Acts 1931, 42nd Legislature, Regular Session, Chapter 225 (Article 6701b, Vernon's Texas Civil Statutes).

Sec. 5. The fact that grave injustice is constantly being worked upon persons in this state injured in person and property by the negligence of others due to the fact that under existing law there can be no recovery of damages by the person so suffering

injury or damage if he be in any degree contributorily negligent, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended and that this Act shall take effect and be in force from all negligence actions arising after the date of its passage, and it is so enacted.

Amendment No. 2

Amend Hale substitute for S. B. 146 by striking Section 1 and substituting the following in lieu thereof:

Section 1. Contributory negligence shall not bar recovery in action by any person or his legal representative to recover damages for negligence resulting in death or injury to person or property, if such negligence was not as great as the negligence of the person against whom recovery is sought, but in cases tried before a jury the court shall instruct the jury to make findings of fact respecting the total damages sustained by the person recovering without regard to the negligence of any party to the event or occurrence, and shall further instruct the jury to make separate findings of fact respecting the percentage of negligence attributable to the person recovering, and the total damages found by the jury shall be diminished by the court in proportion to the percentage of negligence attributed to the person recovering as determined by the trier of fact.

Amendment No. 3

Amend Hale amendment to S. B. 146, Second Printing, by adding at the end of Section 1 the following phrase:

Provided however that the provisions of this section shall not apply to accidents, occurrences, injury or death resulting from violations of Article 6701d, Secs. 86, 87, 88 and 89, V. T. C. S.

Amendment No. 4

Amend S. B. No. 146 by striking all above the enacting clause and substituting in lieu thereof the following:

A BILL TO BE ENTITLED

An Act establishing a system of comparative negligence and abolishing contributory negligence as a bar to recovery under certain conditions in civil suits by providing for recovery of damages on the basis of comparison of negligence; providing for the contribution and indemnity in the case of joint tort-feasors; repealing certain laws to the extent of conflict and saving certain laws from repeal; providing for severability; and declaring an emergency.

The House amendments were read.

Senator Mauzy moved that the Senate do not concur in the House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

House Bills on First Reading

The following bills received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 1096, To Committee on Education.

H. B. No. 1213, To Committee on County, District and Urban Affairs.

H. B. No. 48, To Committee on Jurisprudence.

H. B. No. 160, To Committee on Jurisprudence.

H. B. No. 517, To Committee on Public Health.

H. B. No. 653, To Committee on County, District and Urban Affairs.

H. B. No. 694, To Committee on Insurance.

H. B. No. 728, To Committee on Jurisprudence.

H. B. No. 825, To Committee on Banking.

H. B. No. 1441, To Committee on County, District and Urban Affairs.

H. B. No. 1504, To Committee on Jurisprudence.

H. B. No. 1653, To Committee on Water and Conservation.

H. B. No. 1659, To Committee on County, District and Urban Affairs.

H. B. No. 1701, To Committee on Water and Conservation.

H. B. No. 1756, To Committee on Public Health.

H. B. No. 1758, To Committee on Water and Conservation.

H. B. No. 1773, To Committee on County, District and Urban Affairs.

H. B. No. 1834, To Committee on Water and Conservation.

H. B. No. 1857, To Committee on Jurisprudence.

H. B. No. 522, To Committee on Education.

H. B. No. 811, To Committee on Jurisprudence.

H. B. No. 842, To Committee on Water and Conservation.

H. B. No. 909, To Committee on State Departments and Institutions.

H. B. No. 920, To Committee on State Departments and Institutions.

H. B. No. 1165, To Committee on County, District and Urban Affairs.

H. B. No. 1616, To Committee on Parks and Wildlife.

H. B. No. 1692, To Committee on Water and Conservation.

H. B. No. 1741, To Committee on Education.

H. B. No. 1864, To Committee on Parks and Wildlife.

H. B. No. 1748, To Committee on Jurisprudence.

Message From the House

Hall of the House of Representatives

Austin, Texas,
May 25, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House refused to concur in Senate amendments to House Bill No.

928 and has requested the appointment of a Conference Committee to consider the differences between the two Houses. House Conferees: Hale, McKissack, Slack, Santiesteban, Jungmichel.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Memorial Resolutions

H. C. R. No. 49—Memorial resolution for Dr. Ervin Sewell Perry, P.E.

H. C. R. No. 114—Memorial resolution for Judge Marvin B. Simpson, Jr. (Amended)

H. C. R. No. 166—Memorial resolution for Meredith Odell Morton.

Welcome and Congratulatory Resolutions

H. C. R. No. 162—Extending congratulations to Miss Lydia Enriqueta Rodriguez.

H. C. R. No. 168—Extending welcome to National Governor's Conference to Houston, Texas.

S. R. No. 1355—By Senator Bernal: Extending congratulations to Mrs. Elizabeth Wehmeyer on her 82nd birthday.

S. R. No. 1358—By Senator Aikin: Extending welcome to J. O. Pierce.

S. R. No. 1360—By Senator Watson: Extending welcome to Dick Wilson.

S. R. No. 1361—By Senator Watson: Extending welcome to Vernon Walton, et al.

Recess

On motion of Senator Aikin the Senate at 6:00 o'clock p.m. took recess until 9:00 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

May 25, 1971

S. B. No. 76

S. B. No. 701

S. B. No. 87
S. B. No. 966
S. B. No. 32
S. B. No. 448
S. B. No. 492
S. B. No. 666
S. B. No. 149
S. B. No. 236
S. B. No. 902
S. B. No. 39
S. B. No. 261
S. B. No. 327
S. B. No. 978
S. B. No. 706
S. B. No. 927
S. B. No. 302
S. B. No. 786
S. B. No. 514
S. B. No. 921
S. B. No. 862
S. B. No. 792
S. B. No. 592
S. B. No. 574
S. B. No. 409
S. B. No. 965

S. B. No. 531
S. B. No. 711
S. B. No. 971
S. B. No. 588
S. B. No. 634
S. B. No. 671
S. B. No. 133
S. B. No. 350
S. B. No. 249
S. B. No. 216
S. B. No. 910
S. B. No. 252
S. B. No. 700
S. B. No. 984
S. B. No. 900
S. B. No. 977
S. B. No. 130
S. B. No. 410
S. B. No. 437
S. C. R. No. 111
S. C. R. No. 82
S. C. R. No. 23
S. C. R. No. 20
S. C. R. No. 10